

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

PAUL J. McNALLY, as he is TRUSTEE,  
MASSACHUSETTS LABORERS' HEALTH AND  
WELFARE FUND and NEW ENGLAND LABORERS'  
TRAINING TRUST FUND; JAMES MERLONI, JR.,  
as he is TRUSTEE, MASSACHUSETTS LABORERS'  
PENSION FUND and MASSACHUSETTS LEGAL  
SERVICES FUND; MARTIN F. WALSH, as he is  
TRUSTEE, MASSACHUSETTS LABORERS'  
ANNUITY FUND,

Plaintiffs

vs.

J. MICHAEL LANDSCAPING, INC.,  
Defendant

and

BARLETTA ENGINEERING CORPORATION;  
MODERN CONTINENTAL CONSTRUCTION CO.,  
INC.; and PEABODY CONSTRUCTION COMPANY,  
INC.,

Reach-and-Apply Defendants

C.A. No. 05-11624 RWZ

**AFFIDAVIT OF ANNE R. SILLS**

1. My name is Anne R. Sills. I am a partner with the law firm of Segal, Roitman & Coleman.

2. This firm has been involved in efforts to collect contributions owed the Massachusetts Laborers' Benefit Funds by J. Michael Landscaping, Inc. ("J. Michael") since on

or about June 1, 2005. Since that date, we have incurred legal fees of \$4,820.00 and costs of \$510.88.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 5<sup>th</sup> DAY OF JUNE, 2006.

/s/ Anne R. Sills  
Anne R. Sills, Esquire

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the above Affidavit has been served by first class mail upon Defendant, J. Michael Landscaping, Inc. by its attorney, Paul Hogan, Esquire at Hogan & Associates, 63 Chatham Street, Boston, MA 02109 and Reach-and-Apply Defendants, Barletta Engineering Corporation at 40 Shawmut Road, Suite #200, Canton, MA 02021, Modern Continental Construction Co., Inc. at 600 Memorial Drive, Cambridge, MA 02139, and Peabody Construction Company, Inc. at 536 Granite Street, Braintree, MA 02184 this 5<sup>th</sup> day of June, 2006.

/s/ Gregory A. Geiman  
Gregory A. Geiman, Esquire